

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

FILED

OCT 13 2009

CLERK, U.S. DISTRICT COURT
By JP Deputy

UNITED STATES OF AMERICA)
VS.)
FRANCISCO ALCALA MONTALVO)

CASE NO.: 3:09-CR-257-M (01)

**REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY**

FRANCISCO ALCALA MONTALVO, by consent, under authority of United States v. Dees, 125 F.3d 261 (5th Cir. 1997), has appeared before me pursuant to Fed. R. Crim.P. 11, and has entered a plea of guilty to Count(s) 1 of the Indictment. After cautioning and examining FRANCISCO ALCALA MONTALVO under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowledgeable and voluntary and that the offense(s) charged is supported by an independent basis in fact containing each of the essential elements of such offense. I therefore recommend that the plea of guilty be accepted, and that FRANCISCO ALCALA MONTALVO be adjudged guilty and have sentence imposed accordingly.

Date: October 13, 2009



PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE

NOTICE

Failure to file written objections to this Report and Recommendation within ten (10) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. §636(b)(1)(B).